

October 23, 2006

**City of Milton-Freewater
City Council Minutes**

The Council of the City of Milton-Freewater met in regular session Monday, October 23, 2006 at 7:00 p.m. in the Albee Room of the Library.

The following members were present: Mayor Lewis Key, Councilors Orrin Lyon, Brad Humbert, Keith Woods, Debbie Kelley and Steve Irving. Youth Representative Shalee Potts resigned effective October 6, 2006.

Staff members present were City Manager Delphine Palmer, Assistant City Manager Linda Hall, Public Works Superintendent Dave Bradshaw, and City Planner Gina Hartzheim.

Citizens present were Mr., and Mrs. David Prock, Sam Tucker, Curtis Walters, and Mr. and Mrs. Salvador Pina.

Press member present was Melanie Hall of the Valley Herald.

CONSENT CALENDAR ITEMS: The consent calendar items consisted of minutes from the October 9, 2006 city council meeting. Councilor Kelley motioned to adopt the consent calendar item. Councilor Woods seconded the motion which passed unanimously.

NEW BUSINESS

TABLED CONSIDERATION OF CONVEYANCE OF PROPERTY LOCATED OFF LAMB STREET.

Assistant City Manager Linda Hall gave an introduction to this tabled subject. She stated that a group of staff members including the Public Works Superintendent, Special Projects Manager, City Planner and City Manager had all spent many hours piecing the history together on this complex issue. In summary, it appeared that a portion of a land purchase agreement between two private parties had contained a caveat which allowed for an easement for street purposes to be deeded over to the City if the property were to be developed for housing. This portion of the agreement had been mistakenly recorded in the early 1990's, and as such appeared on a survey map as City property. However, it had not been accepted by the City as street dedication nor had the tax assessor's map ever shown the property as being public right-of-way.

Ms. Hall then introduced Sam Tucker, attorney for the Procks who were seeking remedy to this situation as it concerned their property.

Mr. Tucker then approached the Council explaining he was also the City's Municipal Judge but was here this evening in his capacity as private attorney representing David and Jannice Prock. He then gave the Council the opportunity to object to his representation or declare any perceived bias.

No Council member objected.

Mr. Tucker then continued to explain the history of the 25 x 300 foot strip of property in question. He distributed copies of an assessor's map and the provision of the sales agreement between Mike Brumbach and Ollie Prock for Tax Lot 700.

He concluded by stating he believed this provision had been recorded in error and the City should rectify the situation by releasing their interest in the property in order to clear the title.

Councilor Humbert asked who had been paying the taxes on the property in question.

Mr. Tucker replied the Procks had.

Councilor Woods asked if the affected neighboring property owners had been informed of how this situation may affect them.

Ms. Hall replied the abutting property owners had been notified of this meeting, but no legal advice had been given by staff to them.

Councilor Woods then asked Mr. Tucker several questions about the ramifications of this strip's ownership on future developments which may occur on the property in question. He specifically asked about the 20 feet of access directly beside this subject strip which belonged to the Pinas.

Mr. Tucker replied this would not affect the Pinas ability to access their property. If they choose to develop their property at a later date and required a greater width of access, they would need to negotiate with their neighbors to develop a wider easement. Either way, he stated this would involve negotiation between two private parties.

After further discussion, Councilor Woods asked Mr. and Mrs. Pina if they understood what was about to happen with regard to Council's actions.

Mr. Pina replied he did.

Councilor Humbert then moved to authorize the City Manager to release the City's interest in the subject strip of property. Councilor Kelley seconded the motion, which passed unanimously.

DISCUSSION OF POSSIBLE PURCHASE OF COMPACTOR FOR LANDFILL OPERATION

Public Works Superintendent Dave Bradshaw stated this suggestion had come up in a study session held by the City Council this past summer. As a result he had been asked to study the feasibility of whether or not the purchase of a compactor could pay for itself and thus benefit the operation of the City's solid waste landfill.

He stated he had contacted the City of Walla Walla to inquire whether or not a used compactor could be purchased from them. He was told they planned to trade their used compactor in on the purchase of their new one, but the allowance was \$60,000.

Mr. Bradshaw explained that in researching this proposal, he became interested in the idea of using a paddlewheel scraper to extend the life of each landfill cell being dug. He reported that as it stands currently, the City contracts out each year, or at least every other year for an outside vendor to excavate a large trench, or cell to bury the City's solid waste in at the landfill. These digs are becoming increasingly more expensive. In recent years the cost to the City has ranged between \$35,000 and \$45,000 per year. The purchase of the scraper would pay for itself in one year, and this would allow future savings to go toward the eventual purchase of a compactor for the landfill, which would make the landfill operation even more efficient.

Mr. Bradshaw explained that one of the conditions of the Department of Environmental Quality issued permit for our landfill was that the landfill cell be covered each night. The permit does not specify by which means we use to cover the cell---whether by foam, tarps or dirt. However, the City uses dirt to cover the cell each night as this is the cheapest and most practical alternative.

Due to this requirement and practice, a compactor alone would not be feasible at the landfill. The "cat" tractor would still be required.

Councilor Lyon asked if other landfills in the area used similar methods.

Mr. Bradshaw replied he was not certain of the exact practices of neighboring landfills.

Linda Hall asked Mr. Bradshaw if D.E.Q. permits were not individually issued with conditions and requirements unique and specific to each landfill operation.

Mr. Bradshaw replied the permits were individualized due to the varying conditions of each landfill----soil types, tonnage, type of solid waste deposited, location, etc.

Councilor Humbert stated he believed the idea of the scraper had merit and was happy it was being looked into. He further stated he also believed the purchase of a compactor would be a good addition to the landfill operation.

Mr. Bradshaw concluded by saying he still wished to delve into this issue a little more, but tentatively he would be proposing the purchase of a scraper in the next budget year, with the goal in mind of saving enough money to purchase a compactor in the future.

It was the consensus of the Council to agree with this recommendation.

Mayor Key then announced this was the opportunity for citizens to approach the council with issues not on this agenda.

No one approached.

MANAGER'S REPORT

City Manager Palmer reported that preparations were in full swing for the Make a Difference Day Projects of renovating the Community Building and the McRae-Ireland ball field. She stated she and Teresa and Public Works staff had been working almost exclusively on this project for the last two weeks. The final day is this Saturday, October 28th and she was certainly hoping many volunteers would turn out to help finish up these huge renovation projects. She encouraged the Council to stop by the community building to see what work has already been accomplished. She complimented LDS church volunteers who have been working very hard on their own personal time to do some amazing finish work.

COUNCIL ANNOUNCEMENTS

Councilor Woods stated he had some items he wished to see discussed at the upcoming Council work session. He stated he had been contacted by a citizen who was very interested in serving on the task force to determine the focus and plan for the Highway 11 corridor. He stated he would like to see this subject discussed at the Council's work session, with possibly some guests from the State and County in attendance to make sure we were all on the same page with regard to goals.

Mayor Key stated he had planned to bring this up under his announcements. He reported County Commissioner Dennis Doherty had contacted him and asked him to gather participants to serve on two committees to work on the Highway 11 corridor planning project. He stated the Commissioner would like 5 to 10 people on each committee---one geared toward technical participants such as planners and economic development folks and the other made up of citizens. He stated he had contacted John Zerba to participate and possibly John Thunnel. He further stated that Commissioner Doherty would like the committee to be established and in place prior to an appeal hearing before the State L.C.D.C. committee regarding the County's application for re-zoning a parcel of property located on the state line.

Councilor Woods stated Rick McEvoy would like to be included.

Mayor Key stated he would get an application to him.

Councilor Woods stated he would like to serve on this committee himself.

Councilor Humbert stated he would like to serve on this committee as well.

Mayor Key agreed this would be fine.

City Manager Palmer stated she would like City Planner Gina Hartzheim to serve on the committee as well as Assistant City Manager Linda Hall. Mayor Key agreed.

A discussion ensued over the possible ramifications of a plan for the development of the Highway 11 corridor and its possible effects on the City of Milton-Freewater.

Councilor Kelley announced that she was distributing flyers for a three part seminar on addiction and recovery being sponsored by Trilogy Learning Center.

Councilor Irving stated that he would like to move forward with the recruitment of a replacement for the Council's youth representative. He stated the position gave a very valuable education and insight into government to a member of our youth community and he did not like to see the seat vacant.

Councilor Humbert stated he would like to expand the program to include the experience of campaigning for the position. He suggested applications be sought, and then Council choose two finalists, and then those two candidates could campaign against one other. The student body would vote to choose the winner.

Councilor Woods stated this was a good idea, however it may interfere with Councilor Irving's goal to open the recruitment to all local students, juniors or seniors, either in public or private schools or home-schooled.

A discussion ensued over the program.

It was the consensus of the Council to keep the program as is for at least this school year, advertise the position immediately and hopefully fill it very soon.

There being no further business, the meeting was adjourned at 8:07 p.m.

Lewis S. Key, Mayor